

## State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://www.waterrights.ca.gov>

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

S000062

2006, 2007, 2008

## Owner(s) of Record:

PATRICIA  
WINFIELD SMITH; DIANE COOKE

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

## Primary Contact:

WINFIELD SMITH

PATRICIA SMITH

PO BOX 9

GLEN ELLEN, CA 95442

Phone No. 707-996-6671 1804

Fax No.

E-mail Address:

## Agent:

Address:

Phone No.

Fax No.

E-mail Address:

Source Name: ASBURY CREEK

## Tributary To:

County: Sonoma

Diversion within: Section 19, T 6 N, R 6 W, MDB&amp;M

Year of First Use: 1908

Name of Diversion works:

Assessor Parcel Number  
of the Diversion site: 054-040-078,079,0802009 JUN - 8 PM 1:38  
DIV. OF WATER RIGHTS  
SACRAMENTOSTATE WATER RESOURCES  
CONTROL BOARDA. Water is Used Under: Riparian claim  Pre-1914 claim  Court Decree No.: \_\_\_\_\_ Other (explain): \_\_\_\_\_B. Year of First Use: (Please provide if missing in the Division of Rights database (ewrims)) \_\_\_\_\_C. Rate of Diversion: The rate of diversion of water for each month used and entered in the table below is shown in units of:

Gallons per minute (gpm) \_\_\_\_\_ Gallons per day (gpd) \_\_\_\_\_ Cubic feet per second (cfs) \_\_\_\_\_

N/A

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

D. Quantity of Water Used: The quantity of water used each month and entered in the table below is shown in units of:Gallons \_\_\_\_\_ Million Gallons (MG) \_\_\_\_\_ Acre-feet (AF) 

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006													106
2007													116
2008													126

E. Purpose of Use – Specify number of acres irrigated, stock watered, persons served, etc.Irrigation 2 ACRES acres; Stockwatering 2 cows/3 horses Domestic 4 People  
Other (specify) N/AParcel Number(s) of Place of Use: 054-040-078,079,080F. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

N/A

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES  NO \_\_\_\_\_  
Describe any water conservation efforts you have initiated: LANDSCAPING IS USING ZEROPHYTIC MATERIALS IN AREAS WHERE POSSIBLE, Drip irrigation is used in orchard & domestic gardens

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions: N/A

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

EWREMS/CM  
10/26/09

Reduction in consumptive use: *N/A*  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES  NO

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion: *N/A*

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: *N/A*

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year *N/A* (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES  NO  *N/A*

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES  NO

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year *N/A* (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES  NO

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: *5-10-09*, 20\_\_\_\_\_ at *Glen Ellen*, California

SIGNATURE: *Patricia Smith*

PRINTED NAME: *Patricia Smith*

(first name)

(middle initial)

(last name)

COMPANY NAME: *N/A*

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

ITEM

CONTINUATION

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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



2. Water quality and wastewater reclamation

- Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES  NO
- If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion: N/A  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: N/A

Amount of substitute water supply used:  
Year \_\_\_\_\_ (AF/MG) Year N/A (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES  NO  N/A

3. Conjunctive use of surface water and groundwater

- Are you now using groundwater in lieu of surface water? YES  NO
- If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used: N/A

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES  NO

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 4/2/07, 2007 at GLEN ELLIN, California

SIGNATURE: Winfred M. Smith

PRINTED NAME: Winfred M. Smith  
(first name) (middle initial) (last name)

COMPANY NAME: N/A

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION

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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

State of California, State Water Resources Control Board  
 Division of Water Rights, P.O. Box 2000, Sacramento, CA 95812-2000  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov



S000062%\$%2003

2001, 2002, 2003

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
 Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by August 1, 2004.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: WINFIELD SMITH; DIANE COOKE;

RECEIVED BY MAIL 07/10/03  
 2003 STATEMENT

STATEMENT NO.: S000062  
 CONTACT PHONE NO.: (707)996-6671

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

**WINFIELD SMITH**  
**PO BOX 9**  
**GLEN ELLEN, CA 95442**

**Source Name:** ASBURY CREEK  
**Tributary To:** SONOMA CREEK  
**County:** Sonoma  
**Diversion Within:** 1/4 of 1/4 Section 19, T06N, R06W, MB&M

**Year of First Use:** 1908

**Parcel Number:**

- A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right  Other (explain); \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use – Enter the amount (or the approximate amount) of water used each month.

Year	Amounts below are:      Gallons      Acre-feet      Other												<b>Total Annual</b>
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2002	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2003	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres; Stockwatering 4 COWS / 3 HORSES; Domestic 4 PEOPLE;

Other (specify) \_\_\_\_\_

- E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

N/A

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES  NO \_\_\_\_\_

Describe any water conservation efforts you have initiated:

LANDSCAPING IS XERISCAPE IN SOILS. Drip Irrigation is USED IN OLIVE Orchard WHERE POSSIBLE IN LANDSCAPE

- b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr N/A (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr N/A (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES  NO

JUN 1 2004

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.srcc.ca.gov>"

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Division and Use, (2) Information Pertaining to Water Rights in California, and (3) Application of Water in California.

Proposed new application upstream from their diversions, and (3) provides a record of water use, (2) enables the State to notify such users if someone with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to determine if additional water is available for future purposes a new application upstream from their diversions, and (3) assists the State to determine if additional water is available for future

An appropriate right is required for use of water on nonirrigated land and for storage of water. Generally, appropriate rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been served from the sources of supply by an intervening parcel without a different right to the riparian right to the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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#### ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

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COMPANY NAME: *Winfrey N Smith*

PRINTED NAME: *Winfrey N Smith*

SIGNATURE: *Winfrey N Smith*

DATE: *05/20 2004* at *Olive Blvd*, California

I declare that the information in this report is true to the best of my knowledge and belief.

I understand that it may be necessary to document the savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I have data to support the above surface water use reductions due to conjunctive use efforts. YES  NO  (af/mg)

b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

a. Are you now using groundwater in lieu of surface water? YES  NO

3. Conjunctive use of surface water and groundwater

I have data to support the above surface water use reductions due to wastewater reclamation. YES  NO  (af/mg)

b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

a. A degree which noticeably affects such water for other beneficial uses? YES  NO

2. Water quality and wastewater reclamation

**State of California**  
**State Water Resources Control Board**  
**DIVISION OF WATER RIGHTS**  
**P.O. Box 2000, Sacramento, CA 95812-2000**  
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>
✓  
STATE WATER RESOURCES  
CONTROL BOARD

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

2001 JUN - 7 PM 4:29

Please Complete and Return This Form by July 1, 2001.

DIV. OF WATER RIGHTS  
SACRAMENTO

Owner of Record: WINFIELD SMITH ; DIANE COOKE ;

WINFIELD SMITH  
PO BOX 9  
GLEN ELLEN, CA 95442

Statement No: S000062

Password: 04190110013953

Phone Number: (707) 996-6671



\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Source Name: ASBURY CREEK

Year of First Use: 1908

Tributary To: SONOMA CREEK

County: Sonoma

Parcel Number:

Diversion Within: 1/4 of 1/4 Section 19, T06N, R06W, MB&M

A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right  Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use – Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet _____ Other _____												Total Annual	
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1998	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	1.6
1999	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	1.6
2000	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	1.6

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres; Stockwatering 5 cows / 3 horses; Domestic 4 people;

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) n/a

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES  NO \_\_\_\_\_

Describe any water conservation efforts you have initiated:

The landscaping is utilizing xerophytic plant materials in areas where possible. Drip irrigation is used in domestic gardens.

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved: n/a

Reductions in Diversions:

n/a  
yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

n/a  
yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES  NO

"The energy challenge California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Division and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

Proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriations. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone with specific exceptions. An appropriate water user as set forth in Water Code section 5100

An appropriate right is required for use of water on nonirrigated land and for storage of water. Generally, appropriate rights may be exercised only when there is a surplus not needed by irrigated users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his irrigated land. Riparian land must be in the same source and must never have been served from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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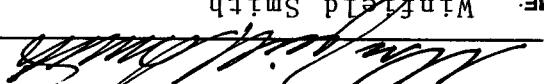
#### ITEM CONTINUATION

If there is insufficient space for your answers, please use the space provided below.

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COMPANY NAME: n/a

PRINTED NAME: Winfred Smith (first name) (middle init.) (last name)

SIGNATURE:   
 DATE: June 3, 2001 at Alien Elleen, California

I declare that the information in this report is true to the best of my knowledge and belief.

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I have data to support the above surface water use reductions due to conjunctive use efforts. YES NO  
 yr (af/mg) yr (af/mg) yr (af/mg) yr (af/mg) yr

b. If credit toward use under a claimed pre 1914 appropriate right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

a. Are you now using groundwater in lieu of surface water? YES NO

3. Conjunctive use of surface water and groundwater

I have data to support the above surface water use reductions due to wastewater reclamation. YES NO  
 yr (af/mg) yr (af/mg) yr (af/mg) yr (af/mg) yr

b. If credit toward use under a claimed pre 1914 appropriate water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions polluted water in lieu of appropriated water used:

a. Are you now or have you been using reclaimed water for other beneficial uses? YES NO

2. Water quality and wastewater reclamation

STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

file

STATE WATER RESOURCES  
CONTROL BOARD

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

98 FEB 19 PM 1:40

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: WINFIELD SMITH, DIANE COOKE

WINFIELD SMITH  
PO BOX 9  
GLEN ELLEN, CA 95442

STATEMENT NO: S000062



S 0 0 0 0 6 2

TELEPHONE NUMBER:  
(707) 996-6671

YEAR OF FIRST USE: 1908  
PARCEL NO:

SOURCE: ASBURY CREEK  
TRIBUTARY TO: SONOMA CREEK  
COUNTY: SONOMA  
DIVERSION  
WITHIN: ¼ OF ¼ SECTION 19, T6N, R6W, MB&M.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right  X \_\_\_\_\_; Other (explain): \_\_\_\_\_  
B. Year of first use (Please provide if missing above) \_\_\_\_\_  
C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Annual
1995	*	*	*	*	*	*	*	*	*	*	*	*		
1996	*	*	*	*	*	*	*	*	*	*	*	*		1.6
1997	*	*	*	*	*	*	*	*	*	*	*	*		1.6
	*	*	*	*	*	*	*	*	*	*	*	*		1.6

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation 2 acres; Stockwatering 7 cows / 4 horses Domestic 4 people  
Other (specify) \_\_\_\_\_

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
n/a

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
n/a

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 13 February 1998 at Glen Ellen, CA, California  
SIGNATURE: Winfield Smith

PRINTED NAME: Winfield Smith  
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

PANY NAME: 4/4

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

With other riparian users in a different watershed, later use or to divert water which originates in a different watershed, be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State. An appropriate right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statement of water rights, (2) enables the State to hold such records, (3) provides a record of water use, and (4) assists the State to determine if additional water is available for future appropriations. Statement of water rights, (2) enables the State to hold such records, (3) provides a record of water use, and (4) assists the State to determine if additional water is available for future appropriations. The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statement of Water Division and Use"  
"Information Pertaining to Water Rights in California"  
"Water Rights for Stockponds Constructed Prior to 1969"  
"Appropriation of Water in California"

5-62

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000 SACRAMENTO, CA 95812-2000**

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

STATEMENT NO: S000062  
OWNER OF RECORD: WINFIELD SMITH

WINFIELD SMITH  
P O BOX 9  
GLEN ELLEN, CA 95442

Env. ret.  
P.O.Box 358

1995 APR 17 PM 12:56

DIV. OF WATER RIGHTS  
SACRAMENTO

SOURCE: ASBURY CREEK  
TRIBUTARY TO: SONOMA CREEK  
COUNTY: SONOMA  
DIVERSION  
WITHIN:  $\frac{1}{4}$  OF  $\frac{1}{4}$  SECTION 19, T6N, R6W, MDB&M.

TELEPHONE NUMBER:  
(707) 996-6671  
YEAR OF FIRST USE: 1908  
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right  \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_.
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:  Gallons  Acre-feet  (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992													1.6
1993													1.6
1994													1.6

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres; Stockwatering 8 cows/4 horses; Domestic 5 persons  
Other (specify) \_\_\_\_\_

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

Statements of Water Diversion and Use  
"Information Permitting to Water Rights in California"  
"Water Rights for Stockponds Constructed Prior to 1969"  
"Appropriation of Water in California"

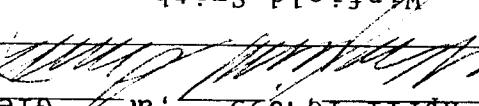
Statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

An Appropriate Right is required for use of water on nonirrigated land and for storage of water. Generally, appropriate rights may be exercised only when there is a surplus not needed by irrigator water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the irrigator right to the severed parcel. Generally, a riparian water user must share the water supply with other irrigator users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

There are two principal types of surface water rights in California. They are irrigator and appropriative rights.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

DATE: April 11, 1995, at Glen Ellen, California  
SIGNATURE:   
PRINTED NAME: Michael Smith  
(FIRST NAME) (M. NAME) (LAST NAME)  
COMPANY NAME:

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

n/a

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

n/a

E. Changes in Method of Diversions - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

**STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET**

**STATEMENT NO.** S000062

**DIVERSION SITE:**

**OWNER'S NAME** State of California/Jack London State Historic Park  
(FIRST) \_\_\_\_\_ (MIDDLE) \_\_\_\_\_ (LAST) \_\_\_\_\_

**PARCEL NO.** 054-050-34

**PLACE OF USE:**

**OWNER'S NAME** Winfield Smith  
(FIRST) \_\_\_\_\_ (MIDDLE) \_\_\_\_\_ (LAST) \_\_\_\_\_

**1. PARCEL NO.** 054-040-79

**2. PARCEL NO.** 054-040-80

**3. PARCEL NO.** \_\_\_\_\_

**PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:**

**OWNER/LESSEE/AGENT/OTHER** Winfield Smith

**NAME** \_\_\_\_\_  
(FIRST) \_\_\_\_\_ (MIDDLE) \_\_\_\_\_ (LAST) \_\_\_\_\_

**MAILING ADDRESS** Box 9

Glen Ellen, CA 95442  
(CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_ (ZIP) \_\_\_\_\_

**TELEPHONE NO.** (707) 996 - 6671

**OTHERS USING ABOVE DIVERSION LOCATION:**

**1. NAME** Diane Cooke  
(FIRST) \_\_\_\_\_ (MIDDLE) \_\_\_\_\_ (LAST) \_\_\_\_\_

**MAILING ADDRESS** 1455 Hill Road

Glen Ellen, CA 95442  
(CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_ (ZIP) \_\_\_\_\_

**TELEPHONE NO.** (707) 938-0994

**2. NAME** \_\_\_\_\_  
(FIRST) \_\_\_\_\_ (MIDDLE) \_\_\_\_\_ (LAST) \_\_\_\_\_

**MAILING ADDRESS** \_\_\_\_\_

(CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_ (ZIP) \_\_\_\_\_

**TELEPHONE NO.** (      ) \_\_\_\_\_ - \_\_\_\_\_

ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 000062

WINFIELD SMITH & DIANE COOKE  
BOX 9  
GLEN ELLEN, CA 95442

TELEPHONE NUMBER:  
(707) 996-6671

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: ASBURY CREEK

TRIBUTARY TO: SONOMA CREEK

COUNTY: SONOMA

DIVERSION

WITHIN: 1/4 OF 1/4 SECTION 19, T06N, R06W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used. Amounts  Gallons below are:  Acre-feet  \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990													1.6+
1991													1.6+
1992													1.6+

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres

Stockwatering 8 HEAD CATTLE/4 HORSES

Domestic 2 HOUSEHOLDS, TOTAL OF 5 PERSONS

Other (specify) \_\_\_\_\_

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No Changes

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4/6/93, 19\_\_\_\_\_, at Glen Ellen, California

Signature: Winfield Smith

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water diversion from their stream, and (3) assists the State to determine if additional use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"
- "Statement of Water Diversion and Use"

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

STATE WATER RESOURCES  
CONTROL BOARD

(916) 324-5676  
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

JAN 10 PM 1:49  
DIV. OF WATER RIGHTS  
STATE SAVANNAH, 000062

DIVERTER OF RECORD:

~~STATE OF MIRIAM H SMITH~~  
~~WINFIELD SMITH EXECUTOR~~  
~~P O BOX 505~~  
~~GLEN ELLEN, CA 95442~~

WINFIELD SMITH  
DIANE COOKE  
Box 9  
Glen Ellen, CA 95442

TELEPHONE NUMBER:  
(707) 996-  
6671

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: ASBURY CREEK

TRIBUTARY TO: SONOMA CREEK

COUNTY: SONOMA

DIVERSION

WITHIN: 1/4 OF 1/4 SECTION 19, T06N, R06W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts  Gallons  
below are:  Acre-feet  
 \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1987	XXXXXX	1.6											
1988	XXXXXX	"											
1989	XXXXXX	"											

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres

Stockwatering 10 Head Cattle

Domestic 2 households total of 6 people

Other (specify) \_\_\_\_\_

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

no change

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

n/a

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 1/7/90, at Glen Ellen, Sonoma County, California

Signature

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statement of Water Diversions and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water appropriations for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockpond Construction Prior to 1969"
- "Appropriation of Water in California"
- "Statement of Diversions and Use"

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

S-62

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Ernest A. Smith  
Address 1455 Hill Road Glen Ellen, California 95442

B. Name of body of water at point of diversion Asbury Creek  
Tributary to Sonoma Creek

C. Place of diversion  $\frac{1}{4}$  Section 19, Township 1, Range 6 W. Diablos & M.  
Sonoma County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Personal - originally for Jack London's house

E. Capacity of diversion works Don't know - blow stream from one inch pipe  
Capacity of storage reservoir 9000 gal.

cubic feet per second  
gallons per minute  
gallons  
acre-feet

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total	Annual
	regular use for barn, and three dwellings (caretaker, cabin, and house)													

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. all year

for irrigation, average six head of cattle; 10 persons (average)

Maximum annual water use in recent years.

Minimum annual water use in recent years.

Type of diversion facility: gravity  pump \_\_\_\_\_

gallons  
acre-feet  
gallons  
acre-feet

Method of measurement: weir \_\_\_\_\_, flame \_\_\_\_\_, electric-power-meter \_\_\_\_\_, water-meter \_\_\_\_\_, estimate

F. Purpose of use (what water is being used for) watering stock in summer; domestic, plus garden

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) Water box half-way up Mt. Sonoma at spring in Asbury Creek (dry in summer); storage tank 200 yards west Jack London State Park; easement through state park to my home and to barn, cabin and caretaker's house.

H. Year of first use as nearly as known 1908, developed by Jack London

I. Name of person filing statement Ernest A. Smith  
Position \_\_\_\_\_ Organization \_\_\_\_\_

Address 1455 Hill Road, Glen Ellen, California 95442

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed November 30 1966

Signature Ernest A. Smith

See Instructions on Reverse Side